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Murder will Out:

OR,

The KING's LETTER, Justifying the Marquess of *Antrim*, and declaring that what he did in the *Irish Rebellion*, was by direction from his *Royal Father* and *Mother*, and for the Service of the Crown.

Jer. 2. 12. *Be astonished, O ye Heavens, at this, and be ye horribly afraid, be ye very desolate, saith the Lord.*

For there is nothing covered that shall not be revealed; nor any thing hid, which shall not be known, or come abroad, Mat. 10. 26.

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Ireland, Aug. 22. 1663.

Ever honoured Sir,

LAst *Thursday* we came to Tryal with my Lord Marquess of *Antrim*, but according to my fears (which you alwayes surmised to be in vain) he was by the King's Extraordinary and Peremptory *LETTER of Favour* restored to his Estate, as *an Innocent Papist*. We proved Eight Qualificatious in the *Act of Settlement* against him, the least of which made him uncapable of being restored as *Innocent*. We proved,

1. *That he was to have a hand in surprizing the Castle of* Dublin, *in the year*, 1641.

2. *That he was of the Rebels party before the* 15*th of* September, 1643. *which we made appear by his hourly and frequent Intercourse with* Renny O Moore, *and many others; being himself the most notorious of the said Rebels.*

3. *That he entered into the Roman Catholick Confederacy before the Peace in* 1643.

4. *That he constantly adhered to the* Nunctio's *Party, in opposition to his Majesties Authority.*

5. *That he sate from time to time in the Supream Council of* Kilkenny.

6. *That he signed that execrable Oath of Association.*

7. *That he was Commissionated, and acted as Lieutenant General, from the said Assembly at* Kilkenny.

2. *That he declared by several Letters of his own penning, himself in Conjunction with* Owen Ro Oneale, *and a constant opposer to the several Peaces, made by the Lord Lieutenant with the* Irish.

We were seven hours by the clock in proving our Evidence against him, but at last the King's *Letter* being opened, and read in Court, *Rainsford*, one of the Commissioners, told us, *That the Kings Letter on his behalf was Evidence without Exception*, and thereupon declared him to be an *Innocent Papist*.

This Cause (Sir) hath (though many Reflections have passed upon the Commissioners before) more startled the Judgments of all men, than all the Tryals since the beginning of their sitting; and it is very strange and wonderful to all of the *Long Robe*, that the King should give such a *Letter*, having divested himself of that Authority, and reposed the Trust in the Commissioners for that purpose: And likewise it is admired, that the Commissioners having taken solemn Oaths, *To execute nothing but according to, and in pursuance of the Act of Settlement*, should, barely upon his Majesties Letter, declare the Marquess *Innocent*.

To be short; there never was so great a Rebel, that had so much favour from so good a King: And it is very evident to me, though young and scarce yet brought upon the stage, that the Consequence of these things will be very bad; and if God of his extraordinary mercy do not prevent it, War, and (if possible)

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greater Judgements, cannot be far from us, where Vice is patroniz'd, and *Antrim*, a Rebel upon Record, and so lately and clearly proved one, should have no other colour for his Actions but the Kings *own Letter*; which takes all Imputations from *Antrim*, and layes them totally upon his *own Father*.

Sir, I shall by the next, if possible, send you over one of our Briefs against my Lord, by some Friend: It's too large for a Pacquet, it being no less in bulk than a Book of Martyrs. I have no more at present, but refer you to the *King's Letter*, hereto annexed.

CHARLES R.

RIght Trusty and welbeloved Cousins and Counsellors, *&c.* We greet you well. How far We have been from interposing on the behalf of any of our *Irish* Subjects, who by their miscarriages in the late Rebellion in that Kingdom of *Ireland*, had made themselves unworthy of Our Grace and Protection, is notorious to all men, and We were so jealous in that particular, that shortly after Our return into this Our Kingdom, when the Marquess of *Antrim* came hither to present his duty to Us, upon the information We received from those persons who then attended us, by a deputation from Our Kingdom of *Ireland*, or from those who at that time owned our Athority there, that the Marquess of *Antrim* had so misbehaved himself towards Us, and Our late Royal Father of blessed memory, that he was in no degree worthy of the least Countenance from Us, and that they had manifest and unquestionable evidence of such his guilt. Whereupon we refused to admit the said Marquess so much as into Our Presence, but on the contrary committed him Prisoner to our Tower of *London*; where after he had continued several months under a strict restraint, upon the continued Information of the said persons, We sent him into *Ireland*, without interposing the least on his behalf, but left him to undergo

undergo such a Tryal and Punishment, as by the Justice of that Our Kingdom should be found due to his Crime, expecting still that some heinous matter would be objected and proved against him, to make him uncapable, and to deprive him of that Favour and Protection from Us, which We knew his former Actions and Services had merited. After many months attendance there, and (We presume) after such Examinations as were requisite, he was at last dismissed without any censure, and without any transmission of Charge against him to Us, and with a Licence to transport himself into this Kingdom; We concluded that it was then time to give him some instance of our Favour, and to remember the many Services he had done, and the Sufferings he had undergone, for his Affection and Fidelity to Our Royal Father and Our Self, and that it was time to redeem him from those Calamities, which yet do lie as heavy upon him since, as before our happy Return; And thereupon we recommend him to you Our Lieutenant, that you should move Our Council there for preparing a Bill to be transmitted to Us, for the Re-investing him the said Marquess into the Possession of his Estate in that our Kingdom, as had been done in some other cases. To which *Letter*, you Our said Lieutenant, returned Us *Answer*, That you had informed Our Council of that Our *Letter*, and that you were, upon consideration thereof, unanimously of opinion that such a Bill ought not to be transmitted to Us, the Reason whereof would forthwith be presented to Us from Our Council. After which time We received the inclosed *Petition* from the said Marquess, which We referred to the considerations and examinations of the Lords of Our Privy Council, whose names are mentioned in that Our *Reference*, which is annexed to the said *Petition*, who thereupon met together, and after having heard the Marquess of *Antrim*, did not think fit to make any Report to Us, till they might see and understand the Reasons which induced you not to transmit the Bill We had proposed, which *Letter* was not then come to Our hands: after which time We have received your *Letter* of the 18th of *March*, together with several *Petitions* which had been presented to you, as well from the *old Soldiers* and *Adventurers*, as from the Lady *Marchioness of Antrim*, all which we likewise transmitted to the Lords *Referees*; Upon a *second Petition* presented to Us by the Lord Marquess, which is here likewise enclosed, commanding our said *Referees* to take the same into their serious consideration, and to hear what the Petitioner had to offer in his own Vindication, and to report the whole matter to Us, which upon a *third Petition*, herein likewise inclosed, We required them to expedite with what speed they could. By which deliberate proceedings of Ours you cannot but observe, that

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no importunity, how juſt ſoever, could prevail with Us to bring Our Self to a Judgment in this Affair without very ample Information. Our ſaid *Referees*, after ſeveral meetings, and peruſal of what hath been offered to them by the ſaid Marqueſs, have reported unto Us, That they have ſeen ſeveral *Letters*, all of them the hand-writing of Our Royal Father, to the ſaid Marqueſs, and ſeveral *Inſtructions* concerning his treating and joyning with the *Iriſh*, in order to the King's Service, by reducing to their obedience, and by drawing ſome Forces from them for the Service of *Scotland*. That beſides the *Letters* and *Orders* under his Majeſties hand, they have received ſufficient Evidence and Teſtimony of ſeveral private Meſſages and Directions ſent from Our *Royal Father*, and from Our *Royal Mother*, with the privity and with the Directions of the King our Father, by which they are perſwaded that whatever Intelligence, Correſpondence or Actings the ſaid Marqueſs had with the *Confederate Iriſh Catholicks*, was directed or allowed by the ſaid *Letters*, *Inſtructions* and *Directions*; and that it manifeſtly appears to them, that the King our Father was well pleaſed with what the Marqueſs did, after he had done it, and approved the ſame.

This being the true ſtate of the Marqueſs his Caſe, and there being nothing proved upon the firſt Information againſt him, nor any thing contained againſt him in your Letter of *March* 18. but that you were informed he had put in his Claim before the Commiſſioners appointed for executing the *Act of Settlement*; and that if his Innocency be ſuch as is alledged, there is no need of tranſmitting ſuch a Bill to Us as is deſired; and that if he be *Nocent*, it conſiſts not with the duty which you owe to Us, to tranſmit ſuch a Bill, as if it ſhould paſs into a Law, muſt needs draw a great prejudice upon ſo many Adventurers and Souldiers, which are, *as is alledged*, to be therein concerned. We have conſidered of the *Petition* of the *Adventurers* and *Souldiers*, which was tranſmitted to Us by You, the Equity of which conſiſts in nothing, but that they have been peaceably in Poſſeſſion for the ſpace of ſeven or eight years, of thoſe Lands which were formerly the Eſtate of the Marqueſs of *Antrim*, and others, who were all engaged in the late *Iriſh Rebellion*; and that they ſhall ſuffer very much, and be ruined, if thoſe Lands ſhould be taken from them. And we have likewiſe conſidered another *Petition* from ſeveral Citizens of *London*, near Sixty in number, directed to Our Self, wherein they deſire, That the Marqueſs his Eſtate may be made liable to the payment of his juſt Debts, that ſo they may not be ruined in the favour of the preſent Poſſeſſors, who (they ſay) are but a few Citizens and Souldiers, who have diſburſed very

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mall ſums thereon. Upon the whole matter no man can think We are leſs engaged by Our Declaration, and by the Act of Settlement, to protect thoſe who *are Innocent*, and who have *faithfully endeavoured to ſerve the Crown*, how unfortunate ſoever, than to expoſe to Juſtice thoſe who have been *really and maliciouſly guilty*. And therefore we cannot in Juſtice, but, upon the *Petition* of the Marqueſs of *Antrim*, and after the ſerious and ſtrict inquiſition into his Actions, declare unto you, that We do find him *Innocent* from any Malice or Rebellious purpoſe againſt the Crown; and that what he did by way of Correſpondence or Compliance with the *Iriſh Rebels*, was in order to the *Service* of Our *Royal Father*, and warranted by His Inſtructions, and the Truſt repoſed in him, and that the benefit thereof accrued to the Service of the Crown, and not to the particular advantage and benefit of the Marqueſs. And as We cannot *in Juſtice deny him this Teſtimony*, So We require You to tranſmit Our *Letter* to Our Commiſſioners, that they may know Our Judgments in this Caſe of the Lord of *Antrims*, and proceed accordingly. And ſo We bid you heartily farewel.

Given at Our Court at *Whitehall*, July 10. in the 15th year of Our Reign, 1663.

By His Majeſties Command.

To our Right Truſty and Right entirely Welbeloved Couſin and Counſellour, James *Duke of* Ormond, *our Lieutenant General, and General Governour of Our Kingdom of* Ireland; *and to the Lords of Our Council of that Our Kingdom.*

HENRY BENNET.

Entred at the Signet-Office, *July* 13. 1663.

FINIS.